

State Water Resources Control Board

March 18, 2016

(Via email and Certified Mail)

CERTIFIED MAIL

NO. 7015 1520 0001 8019 6194

Mr. Mark Montgomery
Facility Manager
Omnitrans East Valley Transit
234 South "I" Street
San Bernardino, California 92410
mark.montgomery@omnitrans.org

**SUBJECT: NOTICE OF VIOLATION; UNDERGROUND STORAGE TANK SYSTEMS
LOCATED AT OMNITRANS EAST VALLEY TRANSIT, 234 SOUTH "I" STREET,
SAN BERNARDINO**

Dear Mr. Montgomery:

As part of an initiative by the State Water Resources Control Board (State Water Board) to ensure compliance at government-owned and/or operated underground storage tank (UST) facilities in California, the State Water Board staff inspected the USTs at your facility on March 10, 2016, pursuant to authority under Health and Safety Code (H&SC), chapter 6.7, section 25289.

The State Water Board has identified the following violations pursuant to H&SC, chapter 6.7, and title 23, California Code of Regulations (CCR), chapter 16:

No.	Violation	Tank	Start Date	Stop Date	Regulation
1	Failure to Provide Designated Operator (DO) Training – There was no record of employee training by the designated operator.	All	March 10, 2016	Ongoing	23 CCR 2715(f)
2	Failure to Perform DO Inspections – There was no record of a designated operator monthly visual inspection in October 2015. The next monthly visual inspection was performed on November 22, 2015.	All	October 1, 2015	October 31, 2015	23 CCR 2715(c)
3	Failure to Monitor Product Piping – The sensor in the fill sump is unable to detect a leak at the earliest opportunity because it is not in a vertical position and the sensor in the piping sump is raised. Both of these sumps also have a raised collar inside of the sump which prevents all areas within the sump from being continuously monitored.	Tank 1	March 10, 2016	Ongoing	23 CCR 2630(d), 2638(a)

No.	Violation	Tank	Start Date	Stop Date	Regulation
4	Failure to Monitor Product Piping – The sensors in the fill and piping sumps are unable to detect a leak at the earliest opportunity because they are not in a vertical position. The piping sump also has a raised collar inside of the sump which prevents all areas within the sump from being continuously monitored.	Tank 2	March 10, 2016	Ongoing	23 CCR 2630(d), 2638(a)
5	Failure to Monitor Product Piping – The float and chain assembly is too loose. This prevents the system's ability to detect a leak at the earliest opportunity.	UDC 1	March 10, 2016	Ongoing	23 CCR 2630(d), 2638(a)
6	Failure to Maintain Monitoring Plan – The monitoring plan states that the piping meets the safe suction exemption criteria; this is incorrect if the system is conventional suction as stated on the tank information form.	All	March 10, 2016	Ongoing	H&SC 25286(a); 23 CCR 2632(d)(1), 2711(a)(9)
7	Failure to Maintain Owner/Operator Agreement – CERS indicates that the owner operator agreement form is stored at the facility. However, this form was not available during the inspection.	All	March 10, 2016	Ongoing	H&SC 25284(a)(3); 23 CCR 2620(b)

You are directed to correct the ongoing violations and submit compliance documentation to the State Water Board and County of San Bernardino County Fire Department within sixty (60) days from the date of this letter. Have your Designated Operator make specific notations in the next monthly designated operator report indicating the ongoing violations have been corrected. The monthly designated operator report and any associated photos must be submitted as proof of compliance.

Please send all compliance documentation to the following:

State Water Board

Ms. Rebecca Green
UST Enforcement Unit
Office of Enforcement
State Water Resources Control Board
1001 I Street, 19th Floor
Sacramento, California 95814
rebecca.green@waterboards.ca.gov

Local CUPA

Mr. Adrain Saguan
Hazardous Materials Specialist
San Bernardino County Fire Department
620 South "E" Street
San Bernardino, California 92415
asaguan@sbcfire.org

Pursuant to Health and Safety Code, chapter 6.7, section 25299, the owner and operator of the tank(s) are liable for a penalty of \$500 to \$5,000 per tank, per day of violation. These penalties will continue to accrue until the violations have been corrected.

If you have any questions, please contact me at (916) 341-5551, or by email at amantha.henkel@waterboards.ca.gov.

Sincerely,



Amantha Henkel
Senior Environmental Scientist
UST Enforcement Unit
Office of Enforcement

cc: *(via email only)*

Fire Marshal Mike Horton
San Bernardino County Fire Department
mhorton@sbcfire.org

Mr. Greg Beach
Supervising HMS
San Bernardino County Fire Department
gbeach@sbcfire.org

Mr. Adrain Saguan
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